

Requesting State Opioid Settlement Funds for Tribal Communities

Background

The overdose crisis has had devastating impacts on families and communities in North Carolina, and Native communities have been disproportionately affected by this crisis.

According to 2021 North Carolina data, Native people experience the highest rate of fatal overdose of any racial or ethnic group in the state, at a rate 2.5 times that of the overall state population—and Native communities often have limited access to resources and funding for overdose prevention services. In 2021, pharmaceutical distributors made nationwide settlements to states for their role in the overdose crisis, with agreements regarding the allocation of funds to states and local governments finalized by 2023. The State of North Carolina, as well as individual counties, could allocate funds from these opioid settlements to Tribes for the purpose of addressing the overdose crisis.

Why Include Tribes?

- Native people in North Carolina experience disproportionately high rates of fatal overdose.
- Funding determinations from the National Opioid Settlements were made using data that includes Native people.
- Tribes often face numerous barriers to providing adequate overdose prevention services, including limited funding.
- State recognized Tribes do not have access to the Tribal Opioid Settlements that federally recognized Tribes are receiving, making it especially crucial to include state recognized Tribes in state opioid settlement fund planning and spending. However, federally recognized Tribes should also be included in state opioid settlement fund planning and spending for the same reasons as state recognized Tribes, regardless of access to the Tribal Opioid Settlements.
- New opportunities for partnerships on current or future overdose prevention services and data sharing initiatives can be identified.

Envisioning Tribal Inclusion

In North Carolina, opioid settlement funds are distributed at both the state and local (county and municipal) level. At the state level, decisions regarding how to spend opioid settlement funds are made by the General Assembly through appropriations.

To be included in funding decisions, Tribes (individually or collectively with other Tribes) could work to advance legislation for funding of programs and services that address the overdose crisis. Individual Tribes should be prepared to share details about specific programs or program components that would be funded under the appropriation when pitching the request to potential legislative supporters.

The 2025 General Assembly long session began in January, meaning time is of the essence for making appropriations requests this year, whether as part of the initially introduced budget or as an amendment to the budget bill after introduction. The next opportunity for state lawmakers to consider potential appropriations would likely be at the 2026 General Assembly short session, which is anticipated to take place in spring/summer 2026.

Because putting together specific requests and navigating the legislative system in a short amount of time can be a high barrier to pursuing funds, especially for Tribes with limited administrative capacity, another possibility is to collaboratively advocate for a single entity to receive one pool of funding for all Tribes, allowing that entity to then non-competitively sub-grant out to each Tribe via a low-barrier process.

Please note that neither approach to requesting funds at the state level is guaranteed to result in opioid settlement funds being allocated to Tribes.

Tribes could also request that the state create a Tribal consultation process related to opioid settlement fund planning and spending, such as via the creation of a Tribal advisory group.

This resource focuses on state-level processes. Future resources may be developed regarding advocating for Tribal inclusion in local-level opioid settlement fund decision making.

Kicking Off the Conversation

Vital Strategies, CORE – Community Organized Relief Effort, community researcher/consultant Tony V. Locklear, and the United Katehnuaka Longhouse will be facilitating a listening session with Tribal leaders/decisionmakers, as well as those doing overdose prevention/harm reduction work in Native communities, about the possibility of requesting that a portion of North Carolina's state opioid settlement funds be set aside specifically for Tribes.

This listening session will be scheduled to take place in April or May 2025. In the coming weeks, we will work to schedule this listening session with those who express interest in participating.

At this listening session, we will gauge Tribes' interest in requesting a set-aside from the opioid settlement funds, learn more about existing efforts in this area, identify champions and contacts from interested Tribes, identify others who should be a part of the conversation, begin to build a roadmap to accomplishing this goal, and share resources regarding overdose prevention/harm reduction work in Indigenous communities. This listening session aims to catalyze this conversation and share resources with Tribes, with the goal of **Tribes ultimately leading this effort.**

Success Stories from Other States

By setting aside funding from the opioid settlement funds for Tribes, North Carolina would be joining at least 10 states who have chosen to allocate opioid settlement funds to Tribes and Native organizations. Two of these states are featured below.



Washington

In addition to allocating \$15.4 million for Tribes and urban Indian health programs for opioid and overdose response programs from 2023-2025, the Washington State Healthcare Authority has created dedicated opportunities for Tribes to provide input on the spending of settlement funds as part of its commitment to collaborating and consulting with Tribes. In 2024, the state committed to allocating at least \$7.75 million annually from its opioid settlement funds to Tribes through 2031 (if funds remain available), after which Tribes will continue to receive funds at a different rate.



Wisconsin

In FY2023, Wisconsin allocated \$6 million in total from its opioid settlement funds to all 11 federally recognized Tribes that share geography with the state, for the purposes of “prevention, harm reduction, treatment, and recovery services for tribal members.” In FY2025, Wisconsin has again set aside \$6 million for Tribes, with all 11 federally recognized Tribes receiving funding. Funds are guaranteed and flexible, distributed to Tribes following the completion of a simple, non-competitive application. This spending decision was made following listening sessions with Tribal leadership.

How Are Tribes and Native Communities Addressing the Overdose Crisis?

Native communities across the continent have developed innovative approaches to addressing the overdose crisis, tailored to the unique cultures and needs of their communities. Two Native-led programs are highlighted below.

- The United Katehnuaka Longhouse’s Good Mind Initiative (North Carolina):** The United Katehnuaka Longhouse (UKL) is a Native-led, eastern North Carolina-based nonprofit organization promoting cultural connectedness and revitalization as a way to heal the historical, intergenerational, and lifetime traumas that contribute to substance use disorder in Native communities. Through culture classes, talking circles, and community socials, UKL provides support to Native people who use drugs, breaks down harmful stigma around drug use, and promotes the health and wellbeing of Native people across the region.
- Gwayakobimaadiziwin Bad River Harm Reduction (Wisconsin):** The Gwayakobimaadiziwin Bad River Harm Reduction program provides harm reduction services and supplies for people who use drugs in their community via peer-support delivery, and to individuals throughout Wisconsin through mail order. They also endeavor to confront the discrimination endured by people who use drugs and advocate for more humane law and policy. In the words of co-founder Philomena Kebec, “We started our community-based harm reduction program to keep our relatives, friends and neighbors from dying from opioid overdoses. We keep doing it because harm reduction is a life-sustaining practice rooted in our traditional values of love, respect and forgiveness.”

For more information about Native-led overdose prevention approaches, the Johns Hopkins Center for Indigenous Health has developed the Tribal Principles website. This resource was designed to guide spending of the Tribal Opioid Settlements, which are available to federally recognized Tribes, but it is also a helpful resource for more generally learning about and guiding Native approaches to healing from the overdose crisis beyond the context of the Tribal Opioid Settlements.

Visit the Tribal Principles website at <https://www.tribalprinciples.cih.jhu.edu/>

In addition, the National Harm Reduction Coalition has published a Native Harm Reduction Toolkit for Native communities interested in starting or expanding harm reduction services. This toolkit covers Indigenizing and decolonizing harm reduction, reducing stigma, assessing need and community readiness, and engaging Tribal leaders and elders.

Visit the Native Harm Reduction Toolkit on the National Harm Reduction Coalition's website at <https://harmreduction.org/native-toolkit/>

How to Get Involved

- An **initial listening session** with Tribal leaders, Tribal decisionmakers, and those doing overdose prevention/harm reduction work in Native communities will be scheduled to take place in **April or May 2025**. In the coming weeks, we will work to schedule this listening session with those who express interest in participating.
- A **follow-up working session** will be held after the initial listening session. In the coming weeks, we will work to schedule this working session with those who express interest in participating.
- Stay in touch: Please reach out to Skye Hart to get involved and join our email list:
 - Skye Hart (Tonawanda Seneca)
 - Technical Advisor, Indigenous Health and Drug Use Initiatives
 - Vital Strategies
 - skyehart@vitalstrategies.org
- For the latest updates, visit the Vital Strategies blog at <https://vitalstrat.org/412XPb>



About Vital Strategies

Vital Strategies is a global health organization that believes every person should be protected by a strong public health system. Our overdose prevention program works to strengthen and scale evidence-based, data-driven policies and interventions to create equitable and sustainable reductions in overdose deaths. Work across seven U.S. states is supported by funding from the Bloomberg Philanthropies Overdose Prevention Initiative, launched in 2018, and by targeted investments from other partners.

Learn more at <https://www.vitalstrategies.org/programs/overdose-prevention/>

